

The Philanthropist

PUBLISHED BY THE EXECUTIVE COMMITTEE OF THE OHIO STATE ANTI-SLAVERY SOCIETY.

GAMALIEL BAILEY, Jr., Editor.

VOLUME I. NO. 5. NEW SERIES.

THE

PHILANTHROPIST,

PUBLISHED WEEKLY BY THE ANTI-SLAVERY SOCIETY,

N. W. corner of Main & Sixth streets,

CINCINNATI, OHIO.

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Anti-Slavery Meeting—London.

From the *London Patriot* Nov. 27.

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pointing to the form and theory of our Government! Marvelous infatuation! A correspondent of the Pennsylvania Sentinel informs us, that after reading the extract from Mr. O'Connell's speech, which we give below, he took down a portrait of this gentleman, which was hanging over the mantel piece, and committed it to the flames. There was more feeling than philosophy in this. We fear the indignant patriot had a greater affection for his prejudices, than for the truth.

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Another hand the standard wave,
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CINCINNATI:

Tuesday Morning, February, 6, 1838.

The Voice of the World.

"O' wad some power the giftie gie us,
To see oursels as others see us,
We wad frae monie a blunder free us,
And foolish notion."

We do not publish the following articles, because we hate our country, or seek to irritate the feelings of our fellow-countrymen. But it is right we should know how we stand in the estimation of the world. We act under the keen gaze of the nations of Europe, and it is of vital importance to our country's fame, and the cause of free principles, that our conduct should be in accordance with our professions of superior devotion to truth, justice and liberty. If any be so blind as to suppose that our character abroad is without blemish, we beseech them to read what is published below. As to the motives or spirit of Daniel O'Connell, we say nothing; they may be good or bad; the only question that concerns us is, does he speak the truth? Would to heaven we could say, "No!" But we dare not. Nearly all the charges he makes against us are full of truth; no wonder we should appear contemptible in the eyes of the world. And it is no apology for us, that those who accuse us have been as guilty as ourselves; that acts of perfidy and inhumanity have deeply stained the annals of their history. Their crimes are no stonement for ours. Besides, they have a right to reproach us, because our professions have been higher and our advantages greater than theirs. The world naturally expected from us greater things, than had yet been accomplished; we have disappointed its expectation, and richly merit its rebuke. We wish our rebuke could reach every man, woman and child in these United States, and annihilate forever that besetting vanity which infests us with the notion, as false as it is monstrous, that ours is the freest and greatest and best of all the nations the sun has ever shone upon. True, our Constitution is a noble one, embodying and exemplifying free principles in their full extent. But we fall below our Constitution. Our character is at war with some of its most vital principles; our actions are subversive of them. The reason why we are self-deceived on this point is, we look at our character in theory—in the Constitution and free institutions of our country. Foreigners gather our character from our actions, and therefore come to a very different conclusion. "Would they determine whether we are a consistent and just people, they fix their eyes on our three millions of slaves. Are they a free people? Look at their Congress, straining under their petitions, and passing resolutions, aimed to abridge the freedom of men and religious effort. Look at their mode, sweeping away laws as if they were cob-webs, laughing to scorn the most sacred guarantees of their Constitution, persecuting from city to city the defenders of universal liberty, and murdering the man who, placing himself upon his solemnly guaranteed rights, stood up the unflinching advocate of "equal and exact justice to all men." Have they a sacred regard for the obligations of good faith, national honor, national eyes? Look at their perfidious wiles of Oceania; their black-hearted treachery towards the Chief Micanopy and his fellow chiefs, and their stupendous Texas robbery. Do they love freedom? Why, even now a movement is on foot in their Congress, to secure forever the total degradation of a large portion of their population, and to extend the curse of undying slavery over the whole extent of a vast territory, violently torn from a Government, which had consecrated it to perpetual liberty. Thus they reason, and how do we answer them? By

In addition to this difference, both the Presidents show themselves to be equally imbued with the national prejudice, (pre-occupation,) which old Europe has implanted in the minds of the Americans, by its interested flattery. This prejudice is the reason that the United States surpass all other people in civilization, and that its constitution presents more opportunities of prosperity, liberty, and peace, than any other in the world. Such an error is, perhaps, perfectly innocent beyond the ocean, but as it is wished to induce such a belief here, we must demonstrate its futility.

Are the Americans entitled to set themselves up as an example for the whole world to follow?

Every people should contribute to the improvement of society. The part of the Americans in this common work is great and grand, according to Gen. Jackson: "Providence," says he, "has chosen them as the defenders and guardians of Liberty, for the benefit of the human race." If they have received, in reality, this mission from Providence, it is very plain they fulfil it very badly.—From protecting Liberty amongst others, they do not even suffer it among themselves;—and seeing the liberality of other nations, they still hold slaves!

No one doubts, but the question of abolishing slavery is beset with difficulties; and there is no one that exacts more prudence; but covetousness, rather than fear, absolutely prevents them from entering upon an examination of the question. The recent and decisive experience of England, in its sugar-raising colonies, and the happy trials of it in France, made so many years, proves that this is a difficulty very easily overcome. "But if you expect security, if you value your lives, retain not such a curse in the bosom of your nation. Those who devote themselves to this work of humanity, however much sagacity they may have for the exercise of their apostleship, should be marked as so many odious disturbers, worthy of the greatest reprobation." And these words of the Chief Magistrate of the Republic, the people respond to with the most cruel persecutions, and second them frequently with assassination!

The human race should also demand of the government of the Union, the most severe account of its conduct, with respect to the last and awful remnants of the Indian tribes. How long would it have been to civilize them!—the United States thought it more easy and expedient to destroy them,—and for forty years all is directed to this end; and the narration of all the treachery, injustice, and violence, which has been employed for this purpose, would form a most lamentable history.

When their obstinate maintenance of slavery, and the systematic extermination of the Indians, are recollected, they must certainly be overwhelmed with shame for pretending to the title of one of the most civilized countries; and he who says that it is so, whilst guilty of these two outrages on humanity, should certainly be told that he lies.—(ue miente.)

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Thomas-in-the-Vale had remained in a state of great tranquility. The apprenticeship system was working in all points just to suit the planters, answering their purposes quite as well as the ancient order of things. About this period the Marquis of Sligo removed a special magistrate who had given universal satisfaction. A brief notice of

his doings and character will show how tranquility was preserved, and what attributes render a magistrate popular among the planters:

one state under the laws thereof, escaping into another shall, in consequence of any law or regulation therein, be discharged from said service or labor." This clause was inserted, as all will admit, to prevent the runaway slave from being emancipated by the laws of the states. If these laws had no power to emancipate, why this constitutional guard to prevent it? The insertion of the clause, was the testimony of the eminent jurists that framed the Constitution, to the existence of the power and their public proclamation, that the abolition of slavery was within the appropriate sphere of legislation. The right of the owner in that which is rightfully property, is by general consent, an exception; hence slaveholders insisted upon the insertion of this clause in the United States Constitution, to secure by an express provision, that from which protection is withheld by the acknowledged principles of universal law. By demanding this provision, slaveholders consented that their slaves should not be recognized as property by the United States Constitution, and hence they have based their claim on the fact of their being *persons and held to service*."

11. But waiving all concessions, whether in constitutions, laws, judicial decisions, or common consent, I take the position that this power of Congress to abolish slavery in the District, follows from the fact, that as the sole legislature there, it has unquestionable power to adopt the system of the common law, as the legal system within its exclusive jurisdiction. This has been done, with certain restrictions, in most of the States, either by legislative acts or constitutional implication. The common law knows no slaves. Its principles annihilate slavery wherever they touch it. It is a universal, unconditional abolition act. Wherever slavery is a legal system, it is so only by statute law, and in violation of common law. The declaration of Lord Chief Justice Holt, that "by the common law, no man can have property in another," is an acknowledged axiom, and based upon the common law definition of property. "The subjects of dominion or property are *things*, as contradistinguished from persons." Let Congress adopt the common law in the District of Columbia, and slavery there is abolished at a blow. Congress may be at home in common law legislation, for the common law is the grand element of the United States Constitution. Its existence and authority are presupposed and assumed throughout the whole, and it is a constituent of its fundamental provisions. The preamble of the Constitution, and also the second clause of Sec. 9, art. 1, Sec. 4, art. 2, and the last clause of Sec. 2, art. 3, with articles 7, 8, 9, and 13 of the Amendments, are express recognitions of the common law as the presiding Genius of the Constitution.

By adopting the common law within its exclusive jurisdiction, Congress would carry out the principles of our glorious Declaration, and follow the highest precedents in our national history and jurisprudence. It is a political maxim, as old as civil legislation, that laws should be strictly homogeneous with the principles of the government; whose will they express, embodying and carrying them out—being indeed the principles themselves, in prescriptive form—representatives alike of the nature and the power of the Government—standing illustrations of its genius and spirit, while they proclaim and enforce its authority. Who needs be told that slavery is an utter antagonism to the principles of the declaration, and the spirit of the constitution, and that these and the principles of the common law gravitate toward each other with irrepressible affinities, and mingle into one. The common law came hither with our pilgrim fathers; it was their birth-right, their panoply, their glory, and their song of rejoicing in the house of their pilgrimage. It covered them in the day of their calamity, and their trust was under the shadow of its wings.

From the first settlement of the country the genius of our institutions and our national spirit have

claimed it as a common possession, and exalted it with a common pride. A century ago Governor Pownal, once the most eminent constitutional jurist of Colonial times, said of the common law, "in all the colonies the common law was received as the foundation and main body of their law."

In the Declaration of Rights, made by the Continental Congress at its first session in '74 there was the following resolution: "Resolved, That the respective colonies are entitled to the common law of England, and especially to the great and inestimable privilege of being tried by their peers of the vicinage according to the course of that law."

Soon after the organization of the general government, Chief Justice Ellsworth, in one of his decisions on the bench of the United States Supreme Court said, "The common law of this country remains the same as it was before the revolution."

Chief Justice Marshall, in his decision in the case of Livingston vs. Jefferson, said, "when our ancestors migrated to America, they brought with them the common law of their native country so far as it was applicable to their new situation, and I do not conceive that the revolution in any degree changed the relations of man to man or the law which regulates them. In breaking our political connection with the parent state we did not break our connection with each other."

See Hall's Law Journal, new series. Mr. Dupee in his "dissemination on the jurisdiction of Courts in the United States," says, "I consider the common law of England the just source of the United States. I think I can lay it down as a correct principle that the common law of England as it was at the time of the declaration of Independence, still continues to be the common law of this country, so far as it is applicable to our present state, and subject to the modifications it has received here in the course of nearly half a century."

The legislation of the United States abounds in recognitions of the principles of the common law, assuring their paramount obligations.

Sparing details, of which our national state papers are full, we illustrate by a single instance.

It was made a condition of the admission of Louisiana into the Union, that the right of trial by jury should be secured to all her citizens, the United States government thus employing its power to enlarge the jurisdiction of the common law in this its great representative.

WYTHE.

TWENTY-FIFTH CONGRESS. SECOND SESSION.

From the *National Intelligencer*,
DEBATE IN THE SENATE.

Tuesday, January 9, 1838.

ON MR. CALHOUN'S RESOLUTIONS.

The Senate resumed the consideration of Mr. Calhoun's resolutions, on the relations, &c. of the States and General Government. The question being on the fourth of the series.

Mr. GRUNDY said that having been absent from sickness when the votes were recorded on the passed resolutions, he took no part in the project of saying that he zealously concurred in the subject of the resolutions, and had been present, and had voted in favor of every one of them.

The question was then taken on the fourth of the 4th resolution, and was carried, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Black, Brown, Buchanan, Calhoun, Clay, of Ala., Clay of Ky., Clay, Crittenden, Cathcart, Fulton, Grundy, Hubbard, King, Lumpkin, Lyon, Nicholas, Niles, Norwell, Pierce, Preston, Rice, Roane, Robinson, Sevier, Smith, of Conn., Strange, Walker, White, Williams, Wright, Young—24.

NAYS—Messrs. McKeon, Morris, Prentiss, of Ind., Swift—5.

The question then recurred on the adoption of the fifth resolution.

"Resolved, That the intermeddling of any State or States, or their citizens, to abolish slavery in this District, or in any of the Territories, on the ground, or under the pretense, that it is immoral or sinful, or the passage of any act or measure of Congress, with that view, would be a direct and dangerous attack on the institutions of all the slaveholding States."

Mr. SMITH, of Connecticut, said that though he had voted in favor of the preceding resolutions, in doing so he did not intend to express himself as being in favor of slavery. Mr. S. then proceeded to state the reasons why he should not vote in favor of the fifth resolution, because it would appear to him that the power given to the Senate to decide on future Sessions as to the powers of future legislation.

Mr. PIERCE, of New Hampshire, rose, and said the Senate had come at length to the ground on which this contest was to be determined. The District of Columbia was now emphatically the battle-field of the abolitionist, and the modifications in physiology, would present the true issue here and to the country—an issue which would raise, not a mere question of expediency, but one of a much higher character, in which the public faith is directly involved.

That my position, said Mr. P., may be distinctly understood, some explanation is perhaps due to the State which I have the honor, in part, to represent, especially as there is a manifest disposition, in certain quarters, to pervert our votes and misrepresent our motives.

I have given to the resolutions all the consideration which I am capable of bestowing, and have listened to the debate which they have elicited with interest and profound attention.

If the grave objections suggested on the other side were sustained by an examination of the resolutions themselves, or a course of sound argumentation, they would ensure my opposition. What are they? The first that reached my ear was, that they contain latent malice. I have waited to hear the particular resolution, sentence or phrase pointed out in which this heresy is to be concealed, and I have waited in vain. Having, then, assertion on one side, and what appears to me to be the plain reading of the resolutions and the frank and unequivocal declaration of the mover on the other, I must be excused if I do not take the alarm.

I have next enquired disquisitions upon the liberty of speech and the freedom of the press. To every sentiment uttered upon these subjects I yield my cordial assent; but why introduced on this particular occasion, I have been at a loss to determine. Would any man here abridge the liberty of speech or silence the people of the Press? I take it, however, that there is nothing in the resolutions to justify such a course of either! Not a syllable. That these are privileges most dear to every American is freely admitted by all. Why should we not have one object, that is, to preserve the public faith and the provisions of the Constitution under which we have so long lived in prosperity.

The abolitionists, it is well known, long since avowed their determination to make this the test question in elections, and I have seen, with profound regret, that in one State at least some of the prominent individuals of both parties have submitted to their censures. Let those who doubt that the politicians in Connecticut and New Hampshire are making use of abolition for party purposes, with a view to the approaching elections, notice the tone of the political newspapers there within the last three or four weeks. It is true they do not avow abolition doctrines, but they make up an issue not warranted by the state of facts, and that issue happens to be the same upon which the abolitionists are recruiting their war. They allege that to receive and lay upon the law, without reading or printing, is equivalent to an act of petition. Why should not those contented with the status quo, and satisfied with the condition of things in Congress and of itself? It has not been enough, however, to have the same petitions, in substance, have been presented year after year, and session after session. During the last session they were made the subject of special reference and report. Their contents are familiar as household word.—The mind of every member is definitely made up upon the question they involve. Argument has been exhausted again and again. And what is now demanded! Why, not only that you shall receive petitions, but that you shall take a particular course with them, which is in accordance with the views of these gentlemen, who, not satisfied with the exercise of their own rights, assume the prerogative of sitting in judgment, and determining what are your duties.

But it is further urged against the resolutions, (said Mr. P.) that they are mere abstractions. Sir, it is quite material what name you apply to them; sufficient is that they meet the case, that they encounter the abolitionist upon sound and tenable ground, and furnish a conclusive answer to his impetuosity. To say that the petitions refer only to this District, and that the principles asserted in the preceding subject are not to be applied to other subjects, is perfectly idle. It is impossible to read a single number of the leading abolition periodicals, without perceiving that their project reaches far beyond this District, and that in point of time, as well as of place, they are intended to apply to the entire Union.

For instance, the delegation to the other House from the District, which I take it is in the name of Mr. Calhoun, charged by the abolition press with having denied the right of petition and the same thing is reiterated by the political press, in the face of their votes upon the direct question during the present session. It is notorious that the question of receiving petitions upon this subject has been taken in both Houses, and decided affirmatively by overwhelming majorities; and yet there is a persevering and systematic attempt on the part of the political as well as the abolition press to give the impression that the right of petition is denied. I have already detained the Senate longer than I intended, and will not pursue the subject further than to add, that what I have turned over the pages of history to little purpose, who would not regard with unqualified horror the connexion of religious bigotry with political power, and to warn gentlemen on all sides to frown on the first manifestation of a disposition to coquet with the politics of the day with that spirit of fanaticism which, under the pretense of promoting the cause of civil liberty, would trample in the dust our glorious Constitution, adopted in a spirit of compromise and concession, at the expense of that spirit alone to be maintained.

[After some further debate, which will be given hereafter—]

Mr. CLAY, of Kentucky, rose to say a few words. He said that he could vote for neither the fifth nor sixth resolution, in the shape in which they were presented by the Senator from South Carolina. Although he had risen to do what he could for a moment, who will regard, without prejudice, the relative position of this "ten miles square?" The objects of this cession, and the manifest interests of the States making it. Who can believe that these patriotic States would have parted with their territory, if they could suppose that the rights and property of their citizens, living upon it, were to be invaded, against their consent and defiance of their rights? I have always understood, that while we are to legislate upon this subject under the Constitution, that Congress cannot abolish slavery in this District, against the wishes of the inhabitants, without a gross breach of public faith and an outrageous infraction of the Constitution.

At the time the cession was made, domestic slavery existed in the States of Maryland and Virginia; it existed there; and it has also, existed here from that day to this.

Now, how is it possible to mistake what must have been the understanding of both parties at the time? No man, it strikes me, can doubt for a moment, who will regard, without prejudice, the relative position of this "ten miles square?" The objects of this cession, and the manifest interests of the States making it. Who can believe that these patriotic States would have parted with their territory, if they could suppose that the rights and property of their citizens, living upon it, were to be invaded, against their consent and defiance of their rights? I have always understood, that while we are to legislate upon this subject under the Constitution, that Congress cannot abolish slavery in this District, against the wishes of the inhabitants, without a gross breach of public faith and an outrageous infraction of the Constitution.

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[After some further debate, which will be given hereafter—]

Mr.

Colored People—Petition.

COLUMBUS, Jan. 27, 1838.
Dear Sir.—A few days since, I heard in the Senate a speech read from colored people of Cincinnati and I must say that there was one thing in it which quite surprised me. That was, the prayer to be redeemed from taxation.

I do not know who put it into their heads, or whether it was one of their own crazy jumps. But be that as it may, should the prayer be granted, it would be a sad day for them. So far from being dead weights in the community, mere occupiers of space, incumbrances of the soil upon which better men might dwell, they ought to be ambitious to excel; they ought to seek opportunities to be useful. They ought to attach themselves to the soil by every possible cord. They ought to be as valuable as citizens, so entering as farmers and mechanics, that every body would speak their praises and be unwilling to have them leave the country. They ought to seek to pay their taxes as a privilege—house, county, state, school tax and all. It does them more good than hurt. It is more benefit than injury to them. And, what is of far greater consequence, it takes the most powerful weapon out of the hands of their enemies, viz. that they are a *useless class* in the community. Nothing but positive facts and deeds performed, can ever rid them of this character, which has been every where attached to their name. I fear, by their unwise move, they will do themselves much harm, more than their enemies have ever yet been able to do them.

Extract of a Letter from Mr. Robinson.

PUTNAM, Jan. 19, 1838.

I have spent the last two or three weeks in Athens and Washington counties, organized two societies, one at Barlow, Washington co., of 32 members; President John Hough; Vice Presidents, James Lawton and John M. Proctor; Secretary, James Lawton; Treasurer, John Brown.—One at Amesville, Athens co., of 76 members; President, Chauncy Ward; Vice Presidents, Wm. T. Brown and Sylvanus Howe; Secretary, Wm. R. Walker; Treasurer, John Wyatt. This is the first ground broken in Athens co. Judging from this specimen, it would seem to be good soil. Pity it should be uncultivated. A *Vigilance Committee* was appointed to visit through the different neighborhoods, to spread out facts before the people at their firesides, and secure their co-operation in the cause of freedom.

[For the Philanthropist.]

Republican Humanity.

Mr. Editor.—By request, I prepare for your paper the following account of a case, that it may serve as an exemplification of the defenceless condition of the colored man, and the impotency of the law for his protection.

In this place had lived for some length of time, Jeremiah Lewis, a respectable man of color, of exemplary conduct, and a worthy member of the Methodist Church. He had formerly been owned by a gentleman of Alabama, who, removing to this State, liberated him and continued to employ his services for wages. He had made an engagement to marry a female living in Madison, Indiana, and the wedding day had been appointed. A few weeks since when about setting off for that place, desirous of avoiding all danger, before having his free papers, he procured a written recommendation of his character, and confirmation of his freedom, signed by the pastor of the village church and two of the professors of the institution here.

When the steam-boat upon which he had taken his passage from Cincinnati, arrived opposite Madison, he anxiously expressed his desire to stop, but was refused by the captain, and compelled to continue his journey to Louisville. There he was required to procure evidence of his freedom, and as the law of that city obliges the colored man to find *some person* to vouch his freedom, he would probably have been imprisoned, or sold to the highest bidder, had not the Editor of the Herald, who was acquainted with the character of the gentleman who signed his recommendation, interceded in his behalf. Having gotten, on his return as far as Westport, Ky., he was against his will put upon the shore, and immured for a fortnight in the damp vaults of the county jail. Having there neither friend nor counsellor, he would probably have been compelled to remain long enough for the law to have allowed his being sold for jail fees; or until some kidnapper could claim him and hurry him to some southern shambles.

But fortunately, he was able to write, and scratching a few lines procured an opportunity of having them mailed to his former owner in Ohio, who, upon receiving the intelligence, immediately released the slave race by a cursive of oath his freedom, obtained his liberation. But his confinement had been protracted so long that he was unable to meet his appointment, and on renewing his suit was rejected. He returned home, after suffering much cruelty and injustice, and being thwarted in the main object of his trip. J.

Oxford, O., Jan. 1838.

Salem, January 17, 1837.

To the Editor of the Philanthropist.
Sir.—I have the pleasure to inform you of the organization of an anti-slavery society, here called the Wilkesville Salem and Columbia Anti-Slavery Society, consisting of eighteen members, twelve males and six females, auxiliary to the Ohio State Anti-Slavery Society. Said organization was on the 8th inst.

Respectfully yours, &c.,

ORTON CHAPMAN,

Secretary for Soc'y.

THE PHILANTHROPIST.

EDITED BY G. BAILEY, JR.

CINCINNATI:

Tuesday Morning, February, 6, 1838.

OHIO LEGISLATURE.

Hour, Jan. 24th.—Several petitions presented by Messrs. Fitch and Carney, in relation to slavery, colored people, trial by jury, &c.

Jan. 25th.—By Mr. Smeeker in relation to colored people, Texas, &c. By Mr. Buchanan, from Clermont co., in relation to the colored woman lately taken to Kentucky, as a runaway slave.

Jan. 26th, By Mr. Harrison, relative to people of color.

Senate—Jan. 26th. By Mr. Vincent, a petition for a legislative protest against the annexation of Texas to the Union. [Laid on the table.] By Mr. Vincent, petitions for the passage of resolutions by the Legislature declaring that Congress has the power to abolish Slavery in the District of Columbia and the Territories of the United States, and to prohibit the slave trade between the different States of the Union; also, to instruct our Senators and Representatives in Congress to use their efforts to accomplish these ends. By Mr. Rogers, a petition that test oaths may be dispensed with in courts of justice. By Mr. Vincent, a petition praying the enactment of a law making cities and incorporated towns liable for damages done therein by mob violence.—O. P. & C.

On the committee on the Communication of the Governor, respecting the late abduction of a Negro woman from Clermont co., is composed of Messrs. Dunlevy, Foot, and Richmond.

Petitions—Jury Trial.

In Senate, Jan. 31.—Mr. Green, chairman of the Judiciary Committee, made a long and argumentative report yesterday, and adverse to the prayer of numerous citizens of different parts of the State, who have petitioned the Legislature to "extend the right of trial by jury to every case within the limits of the State." The object of the petitioners is, to secure a trial to colored persons who may be claimed as runaway slaves by citizens of other commonwealths.—On motion of Mr. King, the report was laid upon the table to be printed.

Mr. Green is a Virginian. He is the same individual, who was for testing the people's positions with contempt, when they prayed the Legislature to protest against Fugitive's gag resolution. The report of course is just what might have been expected. Men from slave states should have nothing to do with business relating to our colored population. They have a bad bring-up.

From the *Ohio Register*, of Saturday, in considering the Report and Resolutions respecting the annexation of Texas to the United States, various objections having been made to certain features thereof.

and it being desirable to have an expression of opinion upon this important subject as nearly unanimous as possible. Mr. Wade withdrew the original Report and Resolutions, and substituted others in their stead. Two parts of these likewise objections existed in the minds of some members, and amendments and discussions consumed the day. The principal resolution is as follows, and was adopted unanimously:

Resolved, by the General Assembly of the State of Ohio, That in the name and on behalf of the People of the State of Ohio, we do hereby solemnly Protest against the Annexation of Texas to the United States.

The part of the Report which concerns the expediency of the annexation of Texas, was adopted with one dissenting voice, and that part which concerns the constitutional power of Congress to effect such annexation, with thirteen dissenting voices.

House.—A business day in the House. The reader is referred to the Report.

Pennsylvania Anniversary.

By the last National Inquirer, we learn that the Anniversary of the State Society, was quite an interesting one. Dr. F. J. Lemoyne presided. Arrangements were made for evening lectures. Resolutions were reported on various subjects, such as "the right of petitioning Congress"—

"The comparison made of Northern laborers and Southern slaves, by representatives in Congress—the resolutions of the Chillicothe Presbytery in Ohio—the justification of slavery on Scriptural grounds, by certain Christian professors—the threats and pretended apprehensions of a dissolution of the Federal Union, by our opponents—the condition of the colored people, and the encouragement of schools among them—the noble conduct of Adams, Slade, and others in Congress—the principles maintained by abolitionists—the use of the produce of slave labor—the influence of religion in promoting our cause, and the conduct of some of the clergy in relation to it."

Rev. J. M. McKinley read an Address to the Clergy, 5000 copies of which were ordered to be printed in English, and 2,500 in German. A remonstrance against the annexation of Texas was reported by B. Landy, which was adopted and ordered to be presented to Congress.

We have no room in this number for further particulars.

PENNSYLVANIA.—In the recent vote of the Pennsylvania Legislature on the question of Negro suffrage, 77 voted to deprive colored persons of this right, and 45 in the negative.

During the session of the State Anti-slavery Society at Harrisburg, application was made for the use of the Representatives' Hall. It was refused by a vote of 56 to 27. The thermometer of liberal feeling in this State is low enough. The "dark spirit of slavery" is still triumphant in Pennsylvania.

MASSACHUSETTS' LEGISLATURE.—Mr. Brown, of Lynn, on the 23d Jan., presented an application of the Massachusetts' Anti-Slavery Society, for the use of the Representative's Hall. After taking out his horses, went home. Phebe, who had not lost sight of him, soon entered his house, and demanded his money. He curbed her bitterly, desiring that she give him the note, and turned her out of doors.

She immediately lodged a complaint against him with a magistrate; but he was unable to issue a warrant, because her testimony was inadmissible. At length, a white man was found, who could testify to certain circumstances, which, in the judgment of the magistrate, would justify a warrant. It was accordingly issued, and promptly served by one of our constables, who, after some difficulty, detected Johnson in a hay-loft, in which he had hid himself. On their way to the magistrate's office, he stubbornly denied having had to do with the woman's money, and observed that, any way, she was a "NIGGER," and could not prove anything against him! This was all true enough—a hundred colored persons, of the most unimpeachable character, if they had witnessed the whole transaction, could not have borne testimony against this miserable swindler. The constable knew this so well, that he resorted to a trick to get at the truth. "Ah," said he to Johnson, "don't be too fast, a white girl was standing not far off, and saw the whole affair; she'll swear against you."

It had the desired effect. *Falseshood* was more just and humane than our laws. It saved this poor woman from a base and cruel imposition, which had been attempted on her because our laws permit, nay, *encourage* such acts. The laws, as they now exist in relation to the colored people, positively warrant such swindling.

The trick, we said, was successful. Johnson seemed staggered at what the constable told him, walked on a few paces, and then, in a hesitating way, said to the officer—

"Suppose I give up the money now, will that stop it?" "Yes," said the officer, "so far as I am concerned." "Come back, then," said Johnson. They went back, entered the constable's room, and Johnson drew out the note from under the hay, where he had hidden it.

Dare our legislators say, in full view of such an abominable transaction, that the "black laws" ought not to be repealed?

The Christian Witness requests us to copy the following:

From the *Pittsburg Christian Herald*. Whereas, T. W. Hayes, under circumstances demanding a prompt course, publicly declared himself no longer under the jurisdiction of the Pennsylvania Presbytery, and severed all connection with the Cumberland Presbytery, church, which had often applied to him to be received into its communion, and he had refused.

"Mr. Stevens moved an amendment to give the same privilege on Monday to Mr. Burleigh, agent of the Abolition Society. After some debate, the amendment was negatived—yeas 45—Nays 51.—The original resolution was also negatived—yeas 40—Nays 56.—Pennsylvania paper.

Last session, the use of the Hall was granted, without difficulty we believe, to the Colonizationists.

TEXAS MEETING.—A Texas meeting was to be held, Jan. 25th, in Faneuil Hall, Boston, to protest against the administration of Texas.

COLONIZATION AND ABOLITION.—Mr. Hinckman offered a resolution to allow the use of the Hall to-morrow evening, to Mr. Booth, agent of the Colonization Society.

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OHIO AND KENTUCKY JOURNAL.

The Editor of this paper says,

"We have, in Ohio, a colored population of many thousands, and altho' most of these have been inured to toil, and are acquainted with killing the earth, you cannot find one in a hundred engaged in the peaceful and virtuous occupation of husbandry; they have congregated in the towns and villages of the State, where a few of them earn, by honest labor, a decent living, and the rest drag out a precarious existence amid poverty, wretchedness and crime."

It is astonishing that men who regard truth, can give currency to such *stupids* as are embodied in the foregoing. We call them *stupids*, and can prove them such. We have presented them, in the memorial of our executive Committee, relating to the colored people, just presented to the legislature. A copy of this memorial we have sent to the editor of the *Ohio and Kentucky Journal*. If he has read it, we hope a sense of justice will lead him to unsay what he has said about a people, of whom know just nothing at all. It is bad enough to oppress this helpless race by atrocious laws, without using the press to asperse their character, and to augment the vile prejudice of the white community against them."

In many respects we are a wretchedly mean people, or the defenceless and unhappy condition of the colored man, would commend him to our kindest sympathies, instead of subjecting him to our abuse.

The Greensburg Repository, (an Indians paper,) speaking of abolition, says,

"We have, in Ohio, a colored population of many thousands, and altho' most of these have been inured to toil, and are acquainted with killing the earth, you cannot find one in a hundred engaged in the peaceful and virtuous occupation of husbandry; they have congregated in the towns and villages of the State, where a few of them earn, by honest labor, a decent living, and the rest drag out a precarious existence amid poverty, wretchedness and crime."

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POETRY.

Lines on a Portrait.

BY JOHN GREENLEAF WHITTIER.
How beautiful! That brow of snow—
That glossy fall of dark-brown tresses—
The blue eye's tranquil heaven below—
The hand wherein the fair cheek presses,
Half-shadowed by a falling curl,
Which on the temple's light repose,—
Each finger like a line of pearl
Contrasted with the cheek's pure roses!
I know her not; and yet it seems
Like something I have seen in dreams!
It is as if our visions took
A certain form—a real look—
As if a thing of earth had caught
All we had hoped, or loved, or thought
Of angels in another sphere
To dazzle and enchant us here.
Well! I can gaze upon it now
As on some beauteous cloud of even,
Which bathes its pinions in the glow
And glory of the sunset heaven,
So holy and so far away
That love without desire is cherished,
Like that which lingers o'er the clay
Whose warm and breathing life has perished,
While yet upon its brow is shed,
The mournful beauty of the dead!
And I can think of her as one
To pure for sight have gazing on—
An idol in some holy place,
Which man may kneel to, not care for—
Or melting strain of music heard
At twilight, from an unseen bird.

I know her not: and what is all
Her beauty to a heart like mine,
While memory has power to call
Its worship from a stranger shrine?
Still midst the weary din of life
The tones I love, my ear has met;
Misted lips of scorn and bows of strife,
The smiles I love are lingering yet,
The hearts which have a kindred tone—
The hands which linger in our own—
The thousand sympathies which bind
The energies of mind with mind—
The cords of strong affection spun
By early deeds of kindness done—
Oh! who would yield these tokens tried
For all the stranger world beside?

The Old Times.

Do you recall what now is living only?
And the memories gathered at the heart!—
The quiet garden, quiet and so lonely,
Where fruit and flowers had each an equal part?
When we had gathered cowslips in the meadow,
We used to bear them to the ancient seat,
Moss grown, beneath the apple tree's soft shadow,
Which flung its rosy blossoms at our feet,
In the old, old times,
The dear old times.

Near was the well o'er whose damp walls were weeping
Stonecrop, and grousels, pale yellow flowers,
While o'er the banks the strawberry plants were creeping
In the white beauty of June's earliest hours;
The currant-bush and lilac grew together;
The bear's sweet breath was blended with the rose;
Alike rejoicing in the pleasant weather
That brought the bloom to these, the fruit to those,
In the old, old times,
The dear old times.

There was no fountain over marble falling;
But the bees murmur'd one perpetual song,
Like soothing waters, and the birds were calling
Amid the fruit-tree blossoms all day long;
Upon the sunny grass-plot stood the dial,
Whose measured time strange contrast with ours made:
Ah! it was omen of life's after trial,
That even then the hours were told in shade,
In the old, old times,
The dear old times!

But little recked we then of those sick fancies
To which in after life the spirit yields!
Our world was of the fairies and romances
With which we wandered o'er the summer fields;

Then did we question of the down-balls blowing
To know if some slight wish would come to pass,

And if we feared a shower we sought where growing
Some weather-flower which was our weather glass,

In the old, old times,
The dear old times!

L. E. L.

MISCELLANEOUS.

Annual Discourse, delivered before the Ohio Historical and Philosophical Society, at Columbus, on the 23d of December, 1837. By Timothy Walker.
A copy of this Discourse has just been laid on our table. The object of Mr. Walker was to notice a few prominent facts in the history of Ohio, with appropriate comments. In a brief way he alludes to the rapid growth of that State, in population and wealth, sets forth clearly and vigorously some of the principal causes that have contributed to its extraordinary advancement, and then answers the question, what has Ohio done "to merit praise or censure?" This question he answers in such a manner, that we feel honored in being one of his adopted children.

In speaking of some of the leading causes, that have promoted the welfare of the State, he dwells at some length on the peculiar advantages of the free labor principle. We quote with great pleasure the whole passage.

"But in pursuing this chain of causes and effects, our total exemption from slavery is not to be overlooked. I am aware how inflammable this topic has recently become; but I am also aware that in the noble language of our constitution, "every citizen has an indisputable right to speak, write, or print, upon any subject, as he thinks proper, being liable for the abuse of that liberty." While, therefore, the citizens of Ohio will ever be loyal to the Union, and stand faithfully by the federal compact, in this as in all other matters; while they will never sanction the slightest interference with slavery in the states where it exists, because it is their own exclusive domestic concern; yet they will not hesitate to express their opinions respecting it, as freely and fearlessly as upon any other subject. And this leader, too, had no peculiar powers of genius for persuasion, for he was "not eloquent," but "slow of speech and tongue," and had to depend upon another to be his mouth-piece before Pharaoh. Such was the age of the world; such the multitude he led, and such the man who promulgated this law, if you deny that God was its author. Take its perfection, and all the attending circumstances, and no honest credulity can resist the conviction, that a mightier than Moses spoke; a present, all-known, all-governing God. They were wiser to adopt the follies of the atheist, and attribute all things to chance, than to deny this truth. It were as easy for such a man to generate the matter of the universe, and make a world, as to promulgate such a

as an existing and apparently ineradicable evil, which, under any other circumstances, would have been guarded against by all possible precautions. Accordingly, when eleven years after, these same spotless patriots were for the first time legislating for the Northwestern Territory, and the question was, whether slavery should be suffered to strike its roots into this virgin soil, they did not hesitate to pronounce their unqualified condemnation of it, as a new question, by inserting a clause of perpetual exclusion. For this they deserve, and I trust have our lasting gratitude. Not only have they caused our history to commence with a high tribute to the principles of eternal justice, but on the mere score of worldly economy, they have thus secured to us advantages which cannot be overrated. I unhesitatingly believe, that if the labor of Ohio had been performed by slaves, having no interest in its fruits, instead of freemen toiling for themselves, our population and resources would not have been the half of what they are now. There might have been larger plantations, costlier mansions, and more luxurious proprietors; but the aggregate of wealth, and strength, and comfort, would have been nothing to the present. If any doubt this, let them compare the actual condition of Ohio and Kentucky. What—I would ask in no invidious spirit—but the absence of slavery here, and its presence there, can explain the enormous difference in the progress of these two neighboring states? Kentucky has as good citizens, as rich soil, as much of it, a better climate, equal natural facilities for transportation, and was settled twelve years earlier than Ohio. Yet the growth of Ohio has been all but double. Such a fact is worth a world of arguments against the economy of slavery. But as an offset for this, we have lately heard the doctrine advanced in high quarters, that slavery serves as the handmaid of liberty. None, we are told, are so truly free, as they who have nothing to do but command their slaves; and none so truly appreciate their liberty, as they who have the contrast of slavery always before their eyes. Such language would sound well in the mouth of a despot, but it fails with an ill grace from the lips of a professed republican. The truth is, that leaving the slaves themselves out of the question, all the tendencies of slavery are anti-republican, even as respects the free; insomuch that a tolerably accurate idea of the landed aristocracy of Europe, may be gathered from our agricultural districts, composed of immense plantations cultivated by slaves; where the few substan in ease and splendor, on the labors of the many. But I will not pursue this train of thought. The paradox, which makes slavery ancillary to liberty, is too glaring to do harm. The free laborers of Ohio, toiling for and depending on themselves, can never be persuaded that they do not prize liberty as dearly, and worship her as sincerely, as the wealthiest slaveholder in all the land."

A Code of Law.

From a recent Address of S. L. Southard, L. L. D.

I refer you to the twentieth chapter of Exodus, where, in the space of about fifty short lines, there is a code of law, more comprehensive, more just, more suited to the condition of all men, and better fitted to promote and secure their happiness, than any other ever offered to them: a code which did not belong to the ritual or ceremonial law, given to the Jews. That found its fulfillment in the sacrifice upon Calvary. This is of perpetual obligation, and rests upon us with all its original sanctions.

You have read it again and again, and committed it to your memories, and heard commentaries upon it, to see how far it is perfect, when compared with the codes of other law-givers? of Numa, Solomon, Lycurgus? Make the comparison. You will find theirs defective, weak, unfit to secure the happiness and prosperity of those on whom they were to act; filled with evidence that their authors were men of frailty with ourselves. With this, you can find no such fault. You cannot alter it, add to it, or take away from it, without detracting from its value. And when you see it thus complete, ask yourselves when, where, by whom, and to whom it was promulgated! About three thousand five hundred years ago, in the most desolate region of Arabia Petreæ, six hundred thousand men "from twenty years old and upward, able to go forth to war," besides women and children, amounting in all probability much more than two millions of human beings, of all ages and descriptions, were assembled around the foot of a mountain. If we regard them as unconnected with a holy dispensation, they were fugitive slaves, from a land where, for nearly two centuries, they and their fathers had been doomed to a dreadful servitude, and to the ignorance and debasement which a cruel tyranny imposed. They were fleeing through a wilderness which then as now, could afford no support for men or beasts; they were afflicted by hunger and thirst, with nothing before them but nakedness, enemies and death; and they were ignorant, restless, impatient in disposition, without government or laws. What code could be adapted to such a people? What authority sufficient to subject them to law, bind them to obedience, and guide them to virtue and happiness? While there assembled, thunder and lightning, and the sound of trumpets were upon the mountain, and the man who assumed to be their leader, pretended to receive this code of laws, immediately from the God whose terrors were before them, to bind and govern them and their descendants forever. And who was this leader who gave such a law, to such a multitude, under such circumstances? A man who, for forty years of his life, had been bred up amid the debaucheries of the Egyptian court. He was not ignorant, for he had been instructed in all the learning which gave fame to the schools of the Heliodorus and Plato, and other philosophers; but that instruction was calculated to imbue him with a superstition, which descending from the adoration of the Heavenly bodies, had sunk to the lowest degradation, the worship of the reptiles of the Nile. 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